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## **DECLARATION FOR UTILITY OR DESIGN** PATENT APPLICATION (37 CFR 1.63)

Declaration Submitted With Initial Filing

Declaration Submitted after Initial Filing (surcharge (37 ČFR 1.16 (e)) required)

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Attorney Docket Number	91436-335
First Named Inventor	Robert R. Griffioen, et al.
COM	PLETE IF KNOWN
Application Number	09/878,346
Filing Date	June 12, 2001
Art Unit	2124
Examiner Name	Nahar, Qamrun

I hereby declare that:								
Each inventor's residence, mailing address, and citizenship are as stated below next to their name.								
I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:								
METHOD AND SYSTEM FOR UPGRADING EXISTING FIRMWARE OF THIRD PARTY HARDWARE								
HARDWARE								
(Title of the Invention)								
the specification of which								
is attached hereto								
OR								
was filed on (MM/DD/YYYY)  June 12, 2001  as United States Application Number or PCT International								
Application Number 09/878,346 and was amended on (MM/DD/YYYY) Sept. 22, 2004 (if applicable).								
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.								
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.								
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent,								
increasy claim loreign priority benefits under 35 0.5.0. 119(a)-(t) of (t), or 355(b) or any foreign application(s) for patent,								
inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one								
country other than the United States of America, listed below and have also identified below, by checking the box, any foreign								
application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.								
Prior Foreign Application   Foreign Filing Date   Priority   Certified Copy Attached?								
Number(s) Country (MM/DD/YYYY) Not Claimed YES NO								
Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.								

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

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## **DECLARATION** — Utility or Design Patent Application

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.										
NAME OF SOLE OF	R FIRST INV	ENTOR:		T A De	atition l	has been fi	led for th	nis unsid	gned inventor	
Given Name (first ar	d middle [if	any])				Family Name or Surname				
Robert R.				_	_	Griffioen				
Inventor's Signature	Veis	10		/w	Z U				Date Venceny 15,20	
Residence: City		State	1		Coun	try		1	ehehip J	
Nepean		Ontario			Cana	ada		Can	adian	
Mailing Address 7 Barrhaven Cr	escent									
City		State				Zip			Country	
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NAME OF SECONE	INVENTO	₹:				A petitio	n has be	een filed	for this unsigned inventor	
Given Name (first ar	nd middle (if	any])		· · · · · · · · · · · · · · · · · · ·	1 1	Family	Name (	or Surna	ame	
Michael J.						Garv	vood			
Inventor's Signature									Date	
Residence: City		State			Cour	ntry		Citiz	enship	
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I hereby declare that:							
Each inventor's residence, ma	ailing address, a	and citizenship are a	as stated i	below next to th	neir nam	ie.	
I believe the inventor(s) name which a patent is sought on the	d below to be the invention ent	he original and first i	inventor(s	s) of the subject	matter	which is claim	ned and for
METHOD AND SYSTE HARDWARE	M FOR UPO	GRADING EXIST	ΓING FI	RMWARE O	F THIE	RD PARTY	
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the specification of which		(Title of the I	Invention)	l			
is attached hereto							
OR			_				
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inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign							
application for patent, inventor	r's or plant bree	eder's rights certificat	te(s), or a	ny PCT interna	ow, by o ational a	checking the in polication have in the control of t	oox, any foreign ing a filing date
before that of the application o	n which priority	is claimed.  Foreign Filing	Data	Briggity			*** 1
Number(s)	Country	MM/DD/YYY		Priority Not Claim		Certified Co	opy Attached? NO
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Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.							
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NAME OF SOLE OR FIRST II	NVENTOR:	Ap	etition has been file	d for this unsig	ned inventor		
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Inventor's Signature					Date		
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NAME OF SECOND INVENTO	OR:	•			for this unsigned inventor		
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Michael J.	<del></del>		Garwo	od	•		
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Additional inventors or a legal re	epresentative are being	g named on thes	upplemental sheet(s) PT	O/SB/02A or 02LR	attached hereto.		